IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4973 OF 2005

Mrs.Rama Madhav Deshpande .. Petitioner
Versus
Smt.Mangala Srikrishna Deolankar
and Ors. .. Respondents

Mr.P.K.Hushing for petitioner
None for respondents.

CORAM : S.C.DHARMADHIKARI, J
DATE : 22nd August 2005.

P.C.

. Heard Mr.Hushing for petitioner. With the assistance of Mr.Hushing, perused findings of the appellate court on the issue of non=user of suit premises as well as bonafide requirement of respondent landlord in respect of the same.

2. Apart from the statements in the writ petition and more particularly in grounds 26 to

28 about erroneous appreciation of admission of petitioner, Mr.Husing could not point out as to how findings with regard to non-user of suit premises before the relevant date prescribed by law are perverse or vitiated by errors apparent on the face of record. Similarly, court below has observed that premises are required bonafide and reasonably by respondent landlord. That finding of fact is recorded after appreciation of oral and documentary evidence placed before the court below. In my view, no case is made out for interference under Article 227 of the Constitution of India. Even otherwise, impugned judgement and decree has been executed and possession has been obtained by respondent landlord. Petition, therefore, is dismissed.

(S.C.DHARMADHIKARI, J)